

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SHERRI ELSON,

Plaintiff(s),

vs.

UNITED HEALTH GROUP INC., et al.,

Defendant(s).

Case No. 2:14-cv-01554-GMN-NJK

ORDER GRANTING MOTION TO
FILE UNDER SEAL

(Docket No. 29)

Pending before the Court is Defendants' unopposed motion to file the Supplemental Record under seal. Docket No. 29. This case involves Plaintiff's denial of benefits case filed pursuant to the Employment Retirement Income Security Act of 1974 (ERISA). *Id.* The documents at issue consists of "over 800 pages containing, among other things, numerous copies of Elson's medical records, conditions, tests, and evaluations, and references to and discussions of such records and Elson's medical conditions." *Id.*, at 2-3; *see*, Docket Nos. 30, 31.

The Ninth Circuit has held that there is a presumption of public access to judicial files and records, and that parties seeking to maintain the secrecy of documents attached to non-dispositive motions must show good cause exists to overcome the presumption of public access. *See, e.g., Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006). Defendants represent that Plaintiff's right to privacy of her personal medical records create a presumption of good cause, and that redacting such information would not be practical. Docket No. 29, at 3. The Court finds that good cause exists to seal the Supplemental Record that outweighs the public's right to access. *See, e.g.,*

1 *Sullivan v. Prudential Ins. Co. of Am.*, 2012 WL 3763904, at *1 (E.D. Cal. Aug. 29, 2012) (granting
2 the parties' request to seal the Administrative Record in an ERISA action); *A.B., a minor, v. San*
3 *Francisco Unified School Dist.*, 2007 WL 2900527, at *1 (N.D. Cal. Oct. 2, 2007) (noting
4 "administrative record[s] . . . often contain[] sensitive . . . information, and often in references too
5 numerous to redact"). Accordingly, Defendants' unopposed motion to file under seal (Docket No. 29)
6 is **GRANTED**.

7 IT IS SO ORDERED.

8 DATED: June 4, 2015

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12 NANCY J. KOPPE
13 United States Magistrate Judge
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